



## Minnesota Department of Transportation

Metropolitan District

Waters Edge

1500 West County Road B-2

Roseville, MN 55113-3174

September 30, 2013

EQB Monitor Distribution List and Interested Parties

**RE: Environmental Assessment Worksheet** for preservation of a footprint along Trunk Highway (TH) 8 from the end of the existing four-lane section 0.52 mile west of Greenway Avenue North in Forest Lake east through the City of Wyoming to Karmel Avenue in Chisago City, a distance of approximately seven miles.

To Whom It May Concern:

The Minnesota Department of Transportation completed an EAW for the proposes of preservation of a footprint along Trunk Highway (TH) 8 to accommodate the Preferred Alternative concept which is a four-lane divided roadway concept that extends from the end of the existing four-lane section located 0.52 mile west of Greenway Avenue North in Forest Lake traveling east through the City of Wyoming to Karmel Avenue in Chisago City, a distance of approximately seven miles.

Under Minnesota rules, the Minnesota Department of Transportation is the Responsible Governmental Unit (RGU) for this project. The proposed action was described and analyzed in an Environmental Assessment circulated to the EAW Distribution List and others. A **Notice of Availability** appeared in the **EQB Monitor** on June 10, 2013. A public hearing was held for the proposed project on June 26, 2013. The EA comment period closed July 10, 2013.

As the RGU for work on the Minnesota trunk highway system, Mn/DOT has undertaken analysis of the project footprint and its impacts. Through this analysis, coordination with affected agencies, public and community involvement, and comment letters received, Mn/DOT has determined the project does not have the potential for significant environmental impacts. Mn/DOT has concluded that preparation of an Environmental Impact Statement is not required, and has issued a Negative Declaration Order for the project. This decision and determination is supported by the full administrative record of the project, including the Findings of Fact and Conclusions. The Negative Declaration concludes the Minnesota state environmental review process.

The Minnesota Department of Transportation does not intend to circulate paper copies of the Findings, Conclusions and Order. These items and others are available on the project website at: <http://www.dot.state.mn.us/metro/projects/hwy8study/documents.html>. Should any readers not have access to these electronic documents, CD or paper copies may be obtained by contacting Brigid Gombold at 651-234-7674.

To request this document in an alternative format, please contact the Affirmative Action Office at 651-366-4723 or 1-800-657-3774 (Greater Minnesota); 711 or 1-800-627-3529 (Minnesota Relay). You may also send an email to [ADArequest.dot@state.mn.us](mailto:ADArequest.dot@state.mn.us). (Please request at least one week in advance).

For the Minnesota Department of Transportation

Monty Hamri  
Project Manager

An Equal Opportunity Employer





# FINDINGS OF FACT AND CONCLUSIONS

Highway 8 from Greenway Avenue North to Karmel Avenue  
SP: 1308-17PE

Cities of Forest Lake, Wyoming and Chisago City  
Chisago and Washington Counties, Minnesota

September 2013  
Minnesota Department of Transportation  
Roseville, Minnesota



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## I. ADMINISTRATIVE BACKGROUND

The Minnesota Department of Transportation (MnDOT), with the involvement of the corridor cities of Forest Lake, Wyoming and Chisago in Washington and Chisago Counties, completed this EAW to identify a footprint for right-of-way preservation that will guide future development along the corridor. The corridor cities will need to incorporate this Preferred Alternative concept into their respective comprehensive plans to continue this process. This EAW proposes preservation of a footprint along Trunk Highway (TH) 8 to accommodate the Preferred Alternative concept which is a four-lane divided roadway concept that extends from the end of the existing four-lane section 0.52 mile west of Greenway Avenue North in Forest Lake east through the City of Wyoming to Karmel Avenue in Chisago City, a distance of seven miles. The project location and proposed layouts are depicted in Figures 1-4 in Appendix A.

No specific construction projects are currently identified or funded within the study limits. It is anticipated that once funding is identified for a project that further environmental review will need to be conducted.

The Minnesota Department of Transportation (MnDOT) is the project proposer and the Responsible Government Unit (RGU). An Environmental Assessment Worksheet (EAW) was prepared for this project in accordance with Minnesota Rules Chapter 4410. The EAW was developed to assess the impacts of the project and other circumstances in order to determine if an Environmental Impact Statement (EIS) is indicated.

The EAW was filed with the Minnesota EQB and circulated for review and comments to the required EAW distribution list. A “Notice of Availability” was published in the EQB Monitor on June 10, 2013. MnDOT published advertisements in both the Forest Lake Times and the Chisago County Press and issued a news release on June 14, 2013, to announce the availability of the EAW and to invite the public to the open house. A post card containing the same information as the newspaper advertisement was mailed to approximately 800 interested parties and adjacent property owners along the corridor. This notice provided a description of the project and information on where copies of the EAW were available, and invited the public to provide comments that would be used in determining the need for an EIS on the proposed project. The EAW was made available for public review on the project website and at the following locations:

- Giese Memorial Library of Wyoming, 26855 Forest Blvd., Wyoming, MN 55092
- Chisago Lakes Area Library, 11754 302nd St., Chisago City, MN 55013
- MnDOT Library, 395 John Ireland Boulevard, St. Paul, MN 55155;
- MnDOT Metro District Water’s Edge Building Lobby, 1500 W. County Road B2, Roseville, MN 55113.

A public hearing (open-house format) was held on June 26, 2013, from 5:30 p.m. to 7:30 p.m. at Lord of the Lakes Church, 25402 Itasca Avenue, Forest Lake, Minnesota. The open house included information on the study process, alternatives evaluation process, a summary of potential impacts, and the environmental review process. Information was also available about the cultural resources

investigations that occurred during the study that were conducted in compliance with the federal Section 106 process. The Preferred Alternative concept was displayed during the open house.

Comments were received through Wednesday July 10, 2013. Comments received during the EAW comment period, including those received from the open house/public hearing, were considered in determining the potential for significant environmental impacts. Comments received during the comment period, and responses to the comments, are provided in Appendix B. Additional information pertaining to the publication of the EAW and the open house/public hearing are located in Appendix C.

## II. PROJECT DESCRIPTION

The proposed project area is located along Highway 8 in the cities of Forest Lake, Wyoming, and Chisago City, in Washington and Chisago County, Minnesota. Refer to Figures 1 and 2 in Appendix A for the area location and project location maps.

The TH 8 study involved a two-tier screening process, including public involvement. A first-tier screening was used to identify broader transportation impacts and eliminate concepts that would not meet the purpose and need. Following first-tier screening, a more detailed evaluation was completed for the remaining concept: a four-lane divided roadway with a grassy median. This concept was carried forward for further consideration, with a number of alternatives developed that would address alignment and access. Refer to the Alternatives Evaluation in Appendix C of the EAW for a summary of the two-tier preliminary screening and detailed evaluation process.

In fall 2012, Technical Advisory Committee (TAC) members, along with input from the corridor city councils of Wyoming and Chisago City, reached a consensus on recommending the “Alternative 5” concept, which is the subject of this EAW (refer to Figure 3 in Appendix A of the EAW). Both cities concurred that designating a Preferred Alternative would be desired so it could be adopted into their respective comprehensive plans and the cities could endorse it. The project footprint of “Alternative 5” will be considered the Preferred Alternative concept and used to guide future development along the corridor. The termini are from the end of the four-lane section 0.52 mile west of Greenway Avenue North on the west to Karmel Avenue on east. Refer to Figures 3 in Appendix A.

The Preferred Alternative concept would be located within the existing TH 8 corridor on an alignment that shifts north and/or south of the existing roadway attempting to avoid and minimize property and natural resource impacts. Local street and direct access closures along the corridor would occur to reduce vehicle conflict points and to improve traffic safety in the corridor. Existing direct private access to TH 8 will be redirected to frontage or backage roads whenever possible. Full access intersection improvements are proposed to occur at the locations listed below and would include designated left- and right-turn lanes to improve safety. Signalization of these intersections would only occur once signal warrants are met, other intersection treatments may also be evaluated.

- Greenway Avenue North
- Hazel Avenue or Hamlet Avenue\*
- Heath Avenue
- County State Aid Highway 23 (CSAH 23 or Pioneer Road)

- James Avenue
- 273<sup>rd</sup> Street
- Viking Boulevard/Johnson Lane

\*The option of having the intersection at Hazel Avenue or Hamlet Avenue will be determined during future stages of project development. For the purpose of this EAW, the intersection improvement has been located at Hazel Avenue.

The Preferred Alternative concept could require approximately 85 acres of additional right-of-way. Based on the current Preferred Alternative concept layout there would be partial impacts to 112 properties and 9 full property takings. Access would be re-rerouted for approximately 17 properties and 9 local roads. Approximately 17 acres of wetland impacts were estimated for the Preferred Alternative concept. The Preferred Alternative concept will need water quality treatment ponds which will be determined during the detailed design phase of the project.

### III. AGENCY AND PUBLIC COMMENTS ON THE EA/EAW

MnDOT received five agency comment letters, one citizen comment letter and three comment cards from the open house. Consistent with state and federal environmental review rules, responses have been prepared for all substantive comments submitted during the EAW’s 30-day comment period. Written responses have been provided for substantive comments pertaining to analysis conducted for and documented in the EAW. Responses were not provided for comments of general opinions or statements of preference (see Appendix B).

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#### SUMMARY OF COMMENTS FROM THE PUBLIC

There were four public comments, one letter and three written comments from the open house. The comments had concerns in following areas:

- Access to Comfort Lake
- Speed limits, guardrails, elevation changes of the roadway;
- Loss of trees, noise and air impacts;
- Devaluation of property.

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#### SUMMARY OF COMMENTS FROM AGENCIES, CITIES AND COUNTY

Comment letters were received from the following agencies:

- MN Department of Agriculture
- U.S. Army Corps of Engineers
- MN Department of Natural Resources
- MN Pollution Control Agency
- Metropolitan Council

The following topics summarize the issues identified in comment letters.

- Wetland impacts;
- Required permits from the U.S. Army Corps of Engineers
- Restricted road access for farmers;
- Severed, triangulated or isolated farmland;
- Stormwater runoff;
- MN Department of Natural Resources permits
- Drainage patterns
- Blandings turtles

#### IV. DECISION REGARDING NEED FOR ENVIRONMENTAL IMPACT STATEMENT

An EIS is not necessary for the proposed project based on the following criteria:

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##### A. TYPE, EXTENT, AND REVERSIBILITY OF IMPACTS

MnDOT finds that the analysis completed for the EAW is adequate to determine whether the project concept has the potential for significant environmental effects.

The EAW described the type and extent of impacts to the natural and built environment anticipated to result from the proposed project concept. This document provides corrections, changes, and new information since the EAW was published. The proposed design for the project concept includes features to mitigate the identified impacts.

Following are the findings regarding potential environmental impacts of the proposed project concept and the design features included to avoid, minimize, and mitigate these impacts:

##### **Potential Environmental Hazards**

Seven properties adjacent to the areas likely to be disturbed by the proposed concept are identified as having high risk or medium risk potential for contamination; refer to Figure 4 in the EAW. As part of the future NEPA process and project design process, when additional information, such as right-of-way acquisition and roadway profile elevations are being determined, the project will be evaluated further for potential contamination issues, and additional Phase II environmental assessment(s) will be completed.

##### **Fish, Wildlife, Ecologically Sensitive Resources**

###### *Habitat*

Removal of vegetation, including woody vegetation, will result from construction of the proposed Preferred Alternative concept. The proposed Preferred Alternative concept may result in approximately 33 acres of woody vegetation being removed during the construction phase. During a future design process, reasonable efforts will be made to minimize impacts and loss of vegetation. Plans would be developed to replace vegetation lost along the roadside in accordance with MnDOT guidelines. Plans

would also be developed to restore ground cover lost on private properties along the proposed areas of construction. To prevent potential spread of the invasive emerald ash borer beetle, ash wood will be stored and disposed of in accordance with Minnesota state laws.

#### *Invasive Species*

In accordance with DNR permit requirements, all in-water equipment will be inspected and decontaminated prior to removal of in-water equipment or materials from the site to prevent spread of invasive species.

#### *Blanding's Turtles*

The Preferred Alternative concept is within an area of statewide importance to the Blanding's turtle, a state-listed threatened species, and therefore, this species may be impacted by the construction of proposed concept. State law and rules prohibit the destruction of threatened or endangered species. MnDOT is committed to working with the DNR on best management practices and appropriate curb design to avoid and minimize any potential impact to the Blanding's turtle. In addition, the project contractor would be provided with a copy of the Blanding's Turtle Fact Sheet to make them aware of the possible presence of these turtles, and to help the contractor recognize the turtle in the field (refer the EAW - DNR correspondence in Appendix F). If Blanding's turtles are encountered on site and are in imminent danger, they would be moved by hand out of harm's way. Otherwise they would be left undisturbed.

#### **Wetlands**

Approximately 17 acres of wetland impacts were calculated with the proposed Preferred Alternative concept. However, the planned next step for the Preferred Alternative concept is highway right of way preservation identification to guide local governments in future planning processes. Efforts to avoid, minimize impacts, and/or identify and secure mitigations will continue when the project design moves forward. When a construction design is developed and wetland impacts can be determined, applications for permits will be submitted to the U.S. Army Corps of Engineers, the DNR, and project area watershed district.

#### **Water Quality**

Future stages of project development will evaluate the existing drainage including the need for and size of culverts, as well as the need for storm water retention ponds and other treatment practices (BMPs). The design of a new roadway will consider and incorporate design features to detain and filter stormwater runoff, such as swales and stormwater detention ponds, as well as infiltration features. This will be accomplished in accordance with applicable permitting requirements of the Comfort Lake - Forest Lake Watershed District, Minnesota Pollution Control Agency, Minnesota Department of Natural Resources, and the U.S. Army Corps of Engineers for regulated water bodies and wetlands that include Big Comfort Lake, Little Comfort Lake, and Green Lake.

#### **Traffic Noise Analysis**

A planning-level noise analysis was completed for the Preferred Alternative concept to determine potential future traffic noise levels for land use planning purposes. The need for noise walls or other traffic noise mitigation will be determined during a future detailed design phase of the project.

**B. CUMULATIVE POTENTIAL EFFECTS OF RELATED OR ANTICIPATED FUTURE PROJECTS**

As discussed in Item 29 of the EAW, the cumulative potential effect of related or anticipated future transportation and development projects has been considered and the proposed Preferred Alternative concept has low potential for cumulative impacts to the resources directly or indirectly affected by the Preferred Alternative concept. Given laws, rules, and regulations in place, as well as local regulatory requirements and comprehensive planning and zoning laws, substantial adverse cumulative impacts to these resources are not anticipated.

**C. EXTENT TO WHICH THE ENVIRONMENTAL EFFECTS ARE SUBJECT TO MITIGATION BY ONGOING PUBLIC REGULATORY AUTHORITY**

Because the planned next step is incorporation of the Preferred Alternative concept footprint into local planning processes and not actual construction, necessary permits/approvals are not being requested and will not be until a project has been funded. However, the following Table 1 provides a list of regulatory permits and approvals that will be necessary when a project progresses to a construction design stage.

**TABLE 1: PERMITS AND APPROVALS**

Agency	Permit	Status
<b>Federal</b>		
FHWA	National Environmental Policy Act (NEPA) review and decision	*NA
FHWA	EIS Need Determination	*NA
FHWA	Section 106 (Historical/Archeological) consultation	*NA
FHWA	Section 4(f) Determination	*NA
U.S. Army Corps of Engineers	Section 404 Permit	To be applied for
<b>State</b>		
MnDOT	MnDOT Environmental Assessment Worksheet	**Complete

Agency	Permit	Status
MnDOT	EIS Need Decision	Complete
MnDOT	Minnesota Wetland Conservation Act	To be requested
MnDOT for FHWA	Endangered Species Act Section 7	To be requested
MnDOT	Wetland Conservation Act	To be applied for
Minnesota Department of Natural Resources	Public Waters Work Permit	To be applied for
Minnesota Department of Natural Resources	Water Appropriation Permit (dewatering permit) if needed	To be applied for
Minnesota Pollution Control Agency (MPCA)	National Pollutant Discharge Elimination System Construction Stormwater Permit	To be applied for
Metropolitan Council	Controlled Access Approval	To be applied for
<b>Local</b>		
Cities of Wyoming and Chisago	Municipal Consent	Request approval
Comfort Lake Forest Lake Watershed District	Watershed District Permit	Request approval
Wetland Conservation Act (Outside MnDOT right of way)	Local Governmental Unit	Request approval

\* Not Applicable for Federal Highway Administration (FHWA) approval at this time. When a construction project is funded and a design developed a federal Environmental Assessment will be completed with the approvals noted as NA above.

\*\* The EAW is complete for the concept level analysis, however; an EAW would need to be completed for a proposed construction project designed at the detailed level for construction.

**D. EXTENT TO WHICH ENVIRONMENTAL EFFECTS CAN BE ANTICIPATED AND CONTROLLED AS A RESULT OF OTHER ENVIRONMENTAL STUDIES**

The Minnesota Department of Transportation has extensive experience in roadway construction. Many similar projects have been designed and constructed throughout the metropolitan area. No project effects are anticipated which MnDOT Metro District has not encountered and successfully solved many times in similar projects in or near the proposed area. MnDOT finds that the environmental effects of the potential future project can be anticipated and controlled as a result of assessment of potential issues during environmental review, and experience in addressing similar issues on previous projects.

#### IV. CONCLUSIONS

1. All requirements for environmental review of the proposed project Preferred Alternative concept have been met.
2. The EAW and the permit development processes related to the Preferred Alternative concept have generated information which is adequate to determine whether the Preferred Alternative concept has the potential for significant environmental effects.
3. Areas where potential environmental effects have been identified will be addressed during a future construction design stage of the project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigation measures will be incorporated into a future project construction design stage, and will be coordinated with state and federal agencies.
4. Based on the criteria in Minnesota Rules part 4410.1700, the Preferred Alternative concept does not have the potential for significant environmental effects.
5. An Environmental Impact Statement is not required for the proposed Preferred Alternative concept, which has been developed for the purposes of assisting local governments in preserving a footprint for potential future improvements.

For the Minnesota Department of Transportation



Lynn P. Clarkowski, P.E.  
Chief Environmental Officer  
Director, Office of Environmental Stewardship  
Minnesota Department of Transportation

9-12-2013

Date



## Appendix A

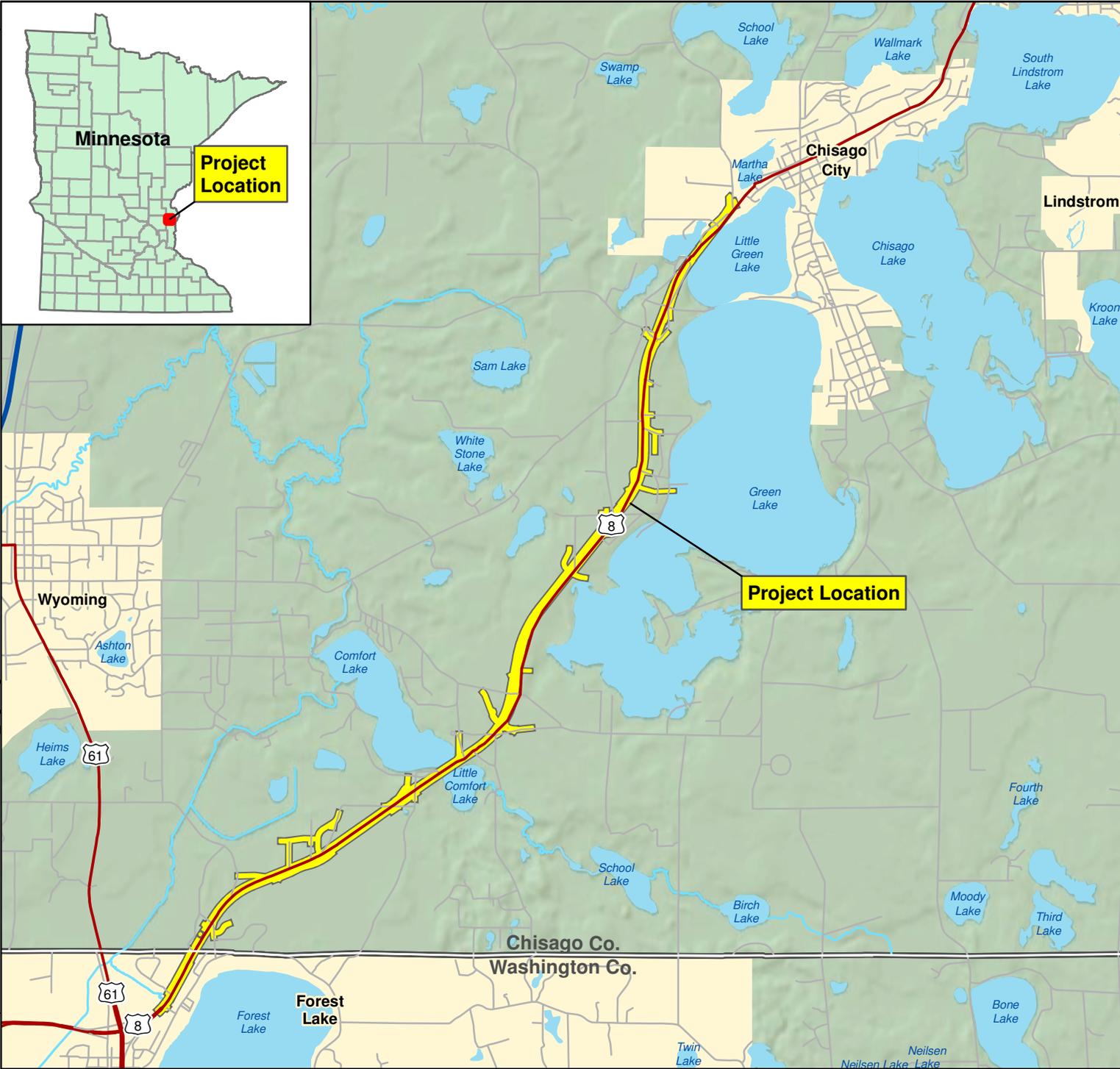
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### Figures

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- Figure A-1      Project Location Map
- Figure A-2      USGS Project Location Map
- Figure A-3      Preferred Alternative Concept
- Figure A-4      Preferred Alternative Concept Contamination Risk Potential





**Legend**

- Interstate
- State Highways
- Road
- Proposed Project
- Water
- County Border
- City Limits

Service Layer Credits: Copyright:© 2009 ESRI

Miles

**Figure 1**  
**Project Location**

Trunk Highway 8  
 Washington and Chisago Counties  
 SP 1308-17PE

Job No: 31810546





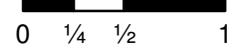
**Legend**

 Proposed Project ROW

Service Layer Credits: Copyright © 2011 National Geographic Society, i-cubed



Miles



**Figure 2  
Project Location  
(USGS)**

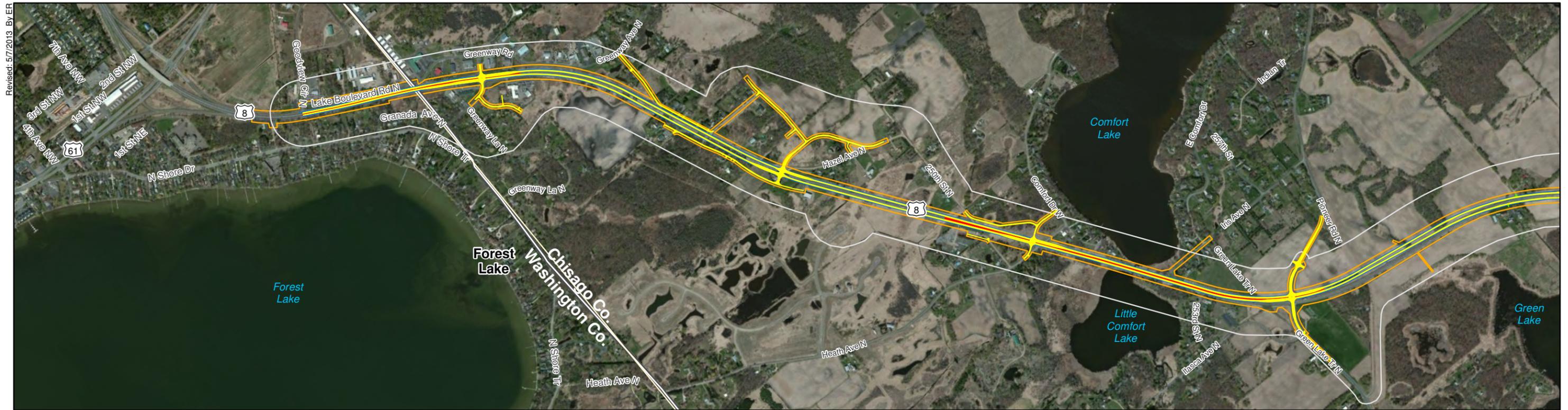
Trunk Highway 8  
Washington and Chisago Counties  
SP 1308-17PE



Job No: 31810546







**Figure 3**  
**Project Footprint**  
 Trunk Highway 8  
 Washington and Chisago Counties  
 SP 1308-17PE



-  Study Area Buffer
-  Municipal Boundaries
-  Proposed Project ROW



Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User







**Figure 4**  
**Project Corridor Contamination Risk Potential**  
 Trunk Highway 8  
 Washington and Chisago Counties  
 SP 1308-17PE



- Medium Potential Risk
- High Potential Risk
- Proposed Project ROW
- Study Area Buffer
- Municipal Boundaries





## Appendix B

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### Comments

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Agency Letter 1:	MN Department of Agriculture
Agency Letter 2:	U.S. Army Corps of Engineers
Agency Letter 3:	MN Department of Natural Resources
Agency Letter 4:	Minnesota Pollution Control Agency
Agency Letter 5:	Metropolitan Council
Comment #6:	Paul Reitzel
Comment #7:	Tom Kolberg
Comment #8:	Joanne Streeter
Comment #9:	Dale and Cheryl Peterson



Comment Letter 1: MN Department of Agriculture	Response
<p>June 13, 2013</p> <p>Richard Dalton                      Environmental Coordinator                      MnDOT, Metro District                      1500 West County Road B2                      Roseville, MN 55113</p> <p>RE: EAW for TH 8, Washington and Chisago County</p> <p>Dear Mr. Dalton:</p> <p>The Minnesota Department of Agriculture (MDA) has reviewed the EAW for TH 8 Greenway Avenue North to Karmel Avenue in the Cities of Forest Lake, Wyoming and Chisago in Washington and Chisago County and would like to make a few comments. With road construction projects, the Minnesota Department of Agriculture (MDA) is typically concerned with the following issues: restricted road access; severed, triangulated or isolated farmland; and stormwater runoff. In the case where the project may create one or several of these issues, the MDA has the following comments:</p> <p><b>A <u>Restricted Road Access</u></b>                      Farmers are highly dependent upon quick and adequate accessibility to the highway. Restricted access will increase their time, distance and transportation costs, which will directly impact their farming operations. Also, restricted access will displace heavy vehicles and equipment onto roads with weight restrictions.</p> <ul style="list-style-type: none"> <li>• The owners of the impacted farms should be consulted to discuss alternatives to lessen the impact. Possible alternatives should address but not be limited to:                             <ul style="list-style-type: none"> <li>○ Owner’s suggestions;</li> <li>○ a change in access to the farmstead; and</li> <li>○ potential visual/audible impacts to the farmstead.</li> </ul> </li> </ul>	<p>A: Comment Noted. MnDOT will consult with impacted property owners when a construction project is proposed.</p>

Comment Letter 1: MN Department of Agriculture CONTINUED	Response
<p><b>B <u>Severed, Triangulated or Isolated Farmland</u></b>                      The EAW should address the acreage or impact of any severed, triangulated or isolated farmland resulting from the alignment alternatives. The impact may be farming remnants that are difficult from a practical standpoint. There may be problems of getting to the field and once there, problems of maneuvering farm equipment on the field. Also, smaller fields that are oddly shaped may be less valuable than fields of typical dimension and size. The parcels of farmland should be identified by location and acreage. Acquisition for loss of productive land should be addressed in these cases.</p> <p><b>C <u>Stormwater Runoff</u></b>                      Where a farmstead is directly impacted, and crops are flooded due to stormwater runoff from the new highway alignment, a memorandum of agreement (MOA), between owner and County should be drafted. The MOA should include specific measures to minimize impacts to the property, and should be included in the final environmental document.</p> <p>Thank you for the opportunity to prepare comments on the EAW. Please feel free to contact me at (651) 201-6369 or <a href="mailto:becky.balk@state.mn.us">becky.balk@state.mn.us</a> if you have any questions regarding this matter.</p> <p>Sincerely,</p> <p>Becky Balk, Principal Planner                      MN DEPARTMENT OF AGRICULTURE                      Agricultural Marketing &amp; Development Division                      625 Robert Street North   St Paul, MN, 55155                      651-201-6369 (Direct Line)   <a href="mailto:Becky.Balk@state.mn.us">Becky.Balk@state.mn.us</a></p>	<p>B: EAW Item 25, on page 59, discussed farmland impacts. It was noted the purpose of the EAW project document is to preserve a foot print for a future project. It also identified that TH 8 is a growth area for commercial and mixed use development. This will likely change the current farmland acreage along the corridor in the future.</p> <p>It could be several years before funding is secured for construction of the Preferred Alternative concept. When the project is pursued for construction, MnDOT will determine acreage of impacts to farmlands and follow all state and federal regulations for protecting farmland. MnDOT considers the EAW discussion sufficient for the purpose of a right-of-way footprint for the local communities to use as a guide for future development.</p> <p>C: Comment noted. MnDOT will inform Chisago County of this request.</p>

Highway 8 Footprint Preservation Project – Findings of Fact and Conclusions: Appendix B–Comments Received and Responses

Comment Letter 2: U.S. Army Corps of Engineers	Response
<p>Mr. Dalton,</p> <p>I offer the following comments on the EAW:</p> <p><b>A</b> 1. In the wetlands category on page 27 it is noted that a windshield survey was done and then followed up by an on-site review of wetlands. A formal wetland delineation using the attached Minnesota Wetland Guidelines needs to be implemented and submitted to the Corps when those application materials are ready.</p> <p><b>B</b> 2. Sequencing, alternatives analysis and the LEDPA determination must also be documented in the application materials.</p> <p><b>C</b> 3. Page 25 indicates that MNDOT will submit an approved jurisdictional determination for the Corps to evaluate. The Corps suggests that a preliminary jurisdictional determination be submitted for the process to move forward. This is based on timelines, funding sources and the 5-year wetland delineation review period.</p> <p>Thank you for the opportunity to review the EAW.</p> <p>Sincerely,</p> <p>Daniel Seemon</p> <p>U.S. Army Corps of Engineers</p> <p>Ecologist</p> <p>Regulatory Branch</p> <p>180 East 5th Street, Suite 700</p> <p>St. Paul, MN 55101-1678</p>	<p><b>A:</b> The proposed project concept is a right-of-way footprint to help the local communities guide future development that would preserve land along TH 8 for a future improvement of the highway. Currently, there is no funding for any improvement. A Cops of Engineers application for wetland impacts is not necessary at this time.</p> <p><b>B:</b> Comment noted. When a project is proposed for construction an application will be submitted including these items.</p> <p><b>C:</b> Comment noted. MnDOT will be submitting the preliminary jurisdiction determination this summer.</p>

Comment Letter 3: MN Department of Natural Resources	Responses
<p>Mr. Hamri,</p> <p>The Department of Natural Resources (DNR) has reviewed the Environmental Assessment Worksheet (EAW) for the Trunk Highway 8 from Greenway Avenue North to Karmel Avenue project located in the Cities of Wyoming, Forest Lake and Chisago. We offer the following comments for your consideration.</p> <p><u>General Permit 2004-0001</u> issued by DNR to MnDOT will be the primary regulatory permitting for the proposed project. MnDOT will be required by the GP 2004-0001 to follow the <u>Best Practices for Meeting DNR General Public Waters Work Permit 2004-0001</u>. Coordination will continue between the DNR and MnDOT as the project progresses.</p> <p><b>A</b> For water courses/features that are not under DNR regulatory authority, the DNR recommends maintaining the existing drainage patterns to the extent feasible.</p> <p>Pertaining to the state-listed threatened species the Blanding’s turtle, in addition to providing contractors with a copy of the fact sheet to be used to aide in identification of the turtle in the field, the DNR refers to page 2 of the Fact Sheet as included in the EAW pdf, page 127. This page includes recommendations for avoiding and minimizing impacts to Blanding’s turtles during project activities. As the project is located in an area of state-wide importance to Blanding’s turtles, project proposers should refer to List 2. These recommendations include both recommended design and construction mitigations. The DNR encourages MnDOT to identify mitigation recommendations that will be implemented early in project planning. Please feel free to contact the DNR Nongame Specialist, Erica Hoagland (<a href="mailto:Erica.hoagland@state.mn.us">Erica.hoagland@state.mn.us</a>), for more information or to discuss these recommendations in more detail.</p> <p><b>C</b> As the project area is considered to be within an area identified as being of state-wide importance for Blanding’s turtles and the amount of wetland/watercourse impacts that are likely to occur, the DNR recommends that the Best Management practices as referred to above, be applied to the entire project corridor. This includes but is not limited to the use of wildlife-friendly erosion control mesh and invasive species control and management.</p> <p><b>D</b></p>	<p><b>A:</b> Comment noted.</p> <p><b>B:</b> Comment noted.</p> <p><b>C:</b> Currently the project concept is a preservation footprint of right-of-way for future highway improvement purposes. When a project is proposed for construction, MnDOT will work with DNR staff on this issue.</p> <p><b>D:</b> Currently the project concept is a preservation footprint of right-of-way for future highway improvement purposes. When a project is planned for construction MnDOT will work with the DNR on Best Management practices to minimize potential environmental impacts.</p>

<b>Comment Letter 3: MN Department of Natural Resources - CONTINUED</b>	<b>Responses</b>
<p>Thank you for the opportunity to review this EAW. We look forward to receiving your record of decision and responses to comments at the conclusion of environmental review. Minnesota Rules part 4410.1700, subparts 4 and 5, require you to send us your Record of Decision within five days of deciding on this action.</p> <p>Sincerely,</p> <p>Melissa</p> <p>(Please note a hard copy will not be provided unless requested.)</p> <p><b>Melissa Doperalski</b> Regional Environmental Assessment Ecologist Department of Natural Resources, Central Region 1200 Warner Road Saint Paul, Minnesota 55106 651.259.5738 <a href="mailto:melissa.doperalski@state.mn.us">melissa.doperalski@state.mn.us</a></p>	

Comment Letter 4: MN Pollution Control Agency	Responses
 <p><b>Minnesota Pollution Control Agency</b>                      520 Lafayette Road North   St. Paul, Minnesota 55155-4194   651-296-6300                      800-657-3864   651-282-5332 TTY   www.pca.state.mn.us   Equal Opportunity Employer</p> <p>July 10, 2013</p> <p>Mr. Richard Dalton                      Environmental Coordinator                      MnDOT, Metro District                      1500 West County Road B2                      Roseville, MN 55113</p> <p>Re: Trunk Highway 8 from Greenway Avenue North to Karmel Avenue Environmental Assessment Worksheet</p> <p>Dear Mr. Dalton:</p> <p>Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Trunk Highway 8 from Greenway Avenue North to Karmel Avenue project (Project) in Washington and Chisago Counties, Minnesota. The Project consists of preservation of a footprint to accommodate a future four-lane divided roadway. Minnesota Pollution Control Agency (MPCA) staff has reviewed the EAW and have no comments at this time.</p> <p><b>A</b> Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW please contact me at 651-757-2508.</p> <p>Sincerely,</p>  <p>Karen Kromar                      Planner Principal                      Environmental Review Unit                      Resource Management and Assistance Division</p>	<p><b>A:</b> Comment noted.</p>

Comment Letter 5: Metropolitan Council	Responses
<p> <b>Metropolitan Council</b></p> <hr/> <p>July 8, 2013</p> <p>Rick Dalton  Environmental Coordinator  Minnesota Department of Transportation (MNDOT)  1500 West County Road B-2  Roseville, MN 55113</p> <p>RE: EAW for TH 8 from Greenway Avenue north to Karmel Avenue in Washington and Chisago Counties  Council District 12  Review File No. 21137-1</p> <p>Dear Mr. Dalton:</p> <p>Metropolitan Council staff has reviewed the environmental assessment/environmental assessment worksheet (EA/EAW) for this project to determine its adequacy and accuracy in addressing regional concerns, potential impacts that warrant further investigation, and the need for an environmental impact statement (EIS).</p> <p>The project includes preservation of a footprint to accommodate a future four-lane divided roadway concept between Forest Lake to Chisago City. The goal of the study is to identify a footprint for right of way preservation that would guide future development in the corridor. No specific construction projects are currently identified or funded within the study limits.</p> <p>The Council staff finds that an EIS is not necessary for regional purposes. However, staff offers the following technical comments which should be addressed:</p> <p><b>Transportation (Ann Braden, 651-602-1705)</b></p> <p>The short segment of TH 8 within Washington County is a principal arterial and therefore part of the Metropolitan Highway System. The Transportation Policy Plan (TPP) does not identify any expansion of this 4-lane section of TH 8; any plans to do so would require an amendment to the TPP. The TPP supports access management as a means to improve traffic flow and safety along TH 8.</p> <p><b>Regional Parks (Jan Youngquist, 651-602-1029)</b></p> <p>The southern end of the EAW project area is within .5 mile of the Hardwood Creek Regional Trail.</p> <p><b>A</b> There are no anticipated impacts to the regional trail.</p>	<p><b>A:</b> Comment noted.</p> <p><b>B:</b> Comment noted.</p>

Comment Letter 5: Metropolitan Council - CONTINUED	Responses
<p><i>Item 11 – Fish, Wildlife, and Ecologically Sensitive Resources (Jim Larsen, 651-602-1159)</i></p> <p>C The EAW indicates that several wetland and lake basins currently dissected by the TH 8 roadway will be impacted by the proposed reconstruction project. Additionally, the proposed project is located within one of 15 of the state’s ‘areas of statewide importance’ to the Blanding’s turtle (<i>Emydoidea blandingii</i>), a state-listed threatened species. While a rural cross section and drainage system design is planned for most of the roadway, the EAW states on page 38 of the text that the proposed frontage and certain designated areas may be designed to include curb and gutter with stormwater treatment systems. Council</p> <p>Rick Dalton Environmental Coordinator July 8, 2013 Page 2</p> <p>staff recommends, consistent with MnDNR impact-minimization guidance, that project specifications include the requirement to utilize sloping, surmountable curbing on the project. We suggest use of Minnesota Department of Transportation Curb and Gutter Design No. S524 or similar design profile. The use of standard, near-vertical B424 curbing can be expected to result in nearly full mortality of the area’s turtle population by entrapping them within the roadway as they pass between water bodies and nesting areas. This simple change to a more gently sloping curb will reduce their mortality risk without negative impacts to storm water flow, driver and pedestrian safety, or maintenance activities.</p> <p>If you have questions about these comments, please contact Ann Braden, Principal Reviewer, at 651-602-1705.</p> <p>Sincerely,                    Lisa Barajas                  Manager, Local Planning Assistance</p>	<p>C: Currently the project concept is a preservation footprint of right-of-way for future highway improvement purposes. When a project is planned for construction MnDOT will work with DNR staff on design specification to minimize impact to the Blanding’s Turtle.</p>

Comment Letter 6: Paul Reitzel	Responses
<div data-bbox="172 266 1192 425" style="border: 1px solid black; padding: 5px;"> <p>Name: Paul Reitzel Address: 25224 Itasca Ave. 55025</p> </div> <p>A I live on Little Comfort Lake. It is a small, sensitive, nature lake. It would suffer greatly if access from Big Comfort Lake was enabled. Please do not provide any sort of watercraft access under Hwy 8.</p> <p style="text-align: right;">Thank you,  6-26-13</p>	<p><b>A:</b> The current concept design would not facilitate watercraft access between Little Comfort Lake and Big Comfort Lake and a bridge option was not evaluated during the preparation of this study. The future proposed highway concept may include replacement of the existing culvert under TH 8 to maintain the hydrologic connection between lakes.</p>

Comment Letter 7: Tom Kolberg	Responses
<div data-bbox="191 267 1140 418" style="border: 1px solid black; padding: 5px;"> <p>Name: Tom Kolberg                      Address: 25231 West Comfort Drive                      Forest Lake, MN 55025</p> </div> <p>A 2 lane improvement will not be the answer when the bottle necks of Chicago City, various stop lights continue to exist. Same volume of cars will move through but now in (2) lanes.</p> <p>Previous improvements have worked fine turn lanes, limited access points etc. Keep improving these ideas and leave the areas enchantment alone.</p>	<p>A: The preferred concept defined in the document is for a future four lane roadway, no projects are currently funded, but the defined footprint will allow for the cities in their planning documents to plan for the future reconstruction of the roadway long-term. The more likely shorter term projects along Hwy 8 will likely be turn lanes, access consolidation and other safety or maintenance improvements.</p>

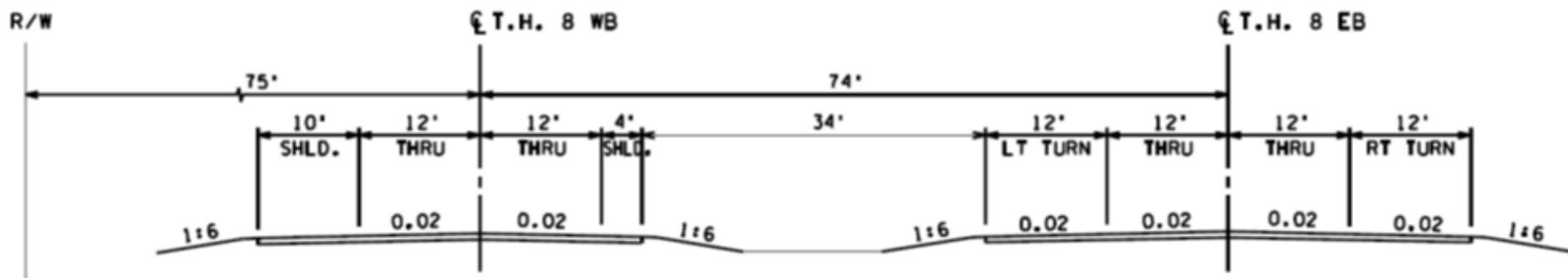
Comment Letter 8: Joanne Streeter	Responses
<p data-bbox="233 277 1257 435">Name: Joanne Streeter Address: 25253 W. Comfort Dr IL, MN 55025</p> <p data-bbox="197 444 1318 769">My property was handed down to us from my Parents. I have lived on W. Comfort Dr for 63 years. My property has been devalued each year from 300,000 - 98,000. Your road to the hiway will be right in front of Thome Kolberg (my brother) house -</p>	<p data-bbox="1478 258 1871 289">A: Thank you for your comment.</p>



Comment Letter 9: Dale and Cheryl Peterson - CONTINUED	Responses
<p>5. The road is also elevated the entire length of our property. Is the elevation changing? How will the water run-off be handled? How will this affect the ground water? We have a well and mound system. We must be guaranteed our fresh water will not be contaminated.</p> <p>6. Much of the property between Hwy 8 and our house has many large trees and other vegetation that creates a buffer to the highway. Many of the trees are very old natural hardwoods. We planted 101 pine trees when we moved here 27 years ago. We are concerned, as are many of our neighbors, of the proposed loss of this buffer. Are there plans to recreate this buffer for homes where this happens?</p> <p>7. We are concerned about the health and safety for ourselves, our children, our grandchildren and other visitors. How will this affect the air quality? How will this affect the noise level?</p> <p>8. We are concerned about water runoff through ditches and into Green Lake. We noted Figure 4 Project Footprint shows a moderate contamination risk. What does this mean? Any contamination risk is not acceptable.</p> <p>9. We are retired, on a fixed income and having been living with Parkinson’s disease for 18 years. Devaluation of our property due to loss of land and problematic conditions would be a grave loss and create much additional hardship.</p> <p>We would appreciate a timely response to our concerns.</p> <p>Thank you.</p> <p>Dale and Cheryl Peterson</p>	<p>5. The EAW project purpose is to identify a footprint of right-of-way for future TH 8 highway improvement purposes. Design plans have not been developed at this stage, which are required to know if there are changes in elevation. MnDOT follows the requirements of the Pollution Control Agency and area watershed districts for appropriate runoff treatment. This includes routing runoff to ponding areas and/or having rural ditches.</p> <p>6. MnDOT recognizes the value of landscaping and vegetated buffers along highways. Minimizing tree loss to the extent practicable will be evaluated during a future design process.</p> <p>7. Please refer to EAW Item 22, Vehicle-Related Air Emissions for the detailed discussion of air quality, beginning on page 45 thru page 56. A summary is provided for each air quality pollutant. There are no air quality pollutant standards exceeded by Alternative 5.</p> <p>Please refer to EAW Item 24 section on Traffic Noise Analysis, pages 52 and 53. A more detailed noise analysis would be completed in accordance with the applicable MnDOT Noise Policy at the time a construction project is pursued.</p> <p>8. Please refer to EAW Item 9, Land Use, pages 13-20 evaluates adjacent properties to MnDOT right-of-way for the presence of potentially contaminated properties (defined as properties where soil and/or groundwater maybe impacted by pollutants, contaminants or hazardous wastes). Table 2 identifies sites with low to high risk of containing contamination. Figure 4 corresponds to Table 2 by locating each numbered site on the map. Site 50, near Green Lake, states the following for reasoning for a medium ranking: Past agricultural use. Current residential uses with possible septic systems. Closed SPILLS site. Potential use and/or storage of hazardous substances or petroleum products.</p>

**Highway 8 Footprint Preservation Project – Findings of Fact and Conclusions: Appendix B–Comments Received and Responses**

	<p>When a construction project is planned additional soil and groundwater analysis would be conducted in this area to determine the presence of contamination. Avoidance or mitigation would be determined at that point in the project, including any precautions needed for Green Lake.</p> <p>9. Comment noted.</p>
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Trunk Highway 8 Typical Section at 273<sup>rd</sup> Street  
West Leg of Intersection





## **Appendix C**

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### Open House

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Affidavit

Certificate of Compliance



# Chisago County Press Affidavit of Publication

STATE OF MINNESOTA }  
COUNTY OF CHISAGO } SS

Matt Silver

being duly sworn, on oath that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as the Chisago County Press and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07. and other applicable laws, as amended.

(B) The printed Highway \* Corridor Study

Public Open House

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for \_\_\_\_\_ successive weeks; it was first published on Thursday, the 20 day of June, 2013 and was thereafter printed and published on every Thursday to and including Thursday, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

By \_\_\_\_\_

Publisher

Subscribed and sworn to before me on the \_\_\_\_\_

26 day of July, 2013

Susan M Swenson



SUSAN M. SWENSON  
NOTARY PUBLIC  
MINNESOTA  
My Commission Expires 1/31/2017

Notary Public

Lowest classified rate paid by commercial for comparable space is \_\_\_\_\_ per inch.

Maximum rate allowed by law for the above matter is \_\_\_\_\_ per inch.

Rate actually charged for the above matter is \_\_\_\_\_ per inch.



## Highway 8 Corridor Study Public Open House

You're invited to attend an open house to learn more and provide comments about the newly released Environmental Assessment Worksheet (EAW). The EAW examines the purpose and need for improvements to Hwy 8 between Greenway Avenue N. to Karmel Avenue. It also evaluates the anticipated social, economic and environmental impacts that could occur if the highway was expanded.

**Wednesday, June 26, 2013**

**5:30 p.m. to 7:30 p.m.**

Lord of the Lakes Lutheran Church  
25402 Itasca Avenue, Forest Lake

Specific construction projects are currently planned or funded as a result of this study. The goal of the Highway 8 study was to identify an outline for right of way preservation that will guide future development along the corridor.

The EAW is available for review on the project website at:  
<http://www.dot.state.mn.us/metro/projects/hwy8study/index.html>

The EAW is also available for review at the following area libraries:

Giese Memorial Library of Wyoming, 26855 Forest Blvd., Wyoming, MN 55092  
Chisago Lakes Area Library, 11754 302nd St., Chisago City, MN 55013

Written comments on the EAW will be accepted through July 10, 2013



STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION

..... CERTIFICATE OF COMPLIANCE.....

MINNESOTA PROJECT NO.

STATE PROJECT NO. 1308-17PE

TRUNK HIGHWAY NO. 8

Being that section of the highway between: Greenway Avenue North to Karmel Avenue in Chisago and Washington Counties, the State of Minnesota.

In conformance with the requirements of SECTION 128, TITLE 23, UNITED STATES CODE, the undersigned does hereby certify that

the public has been afforded an opportunity for a public hearing, or

a public hearing was held

and that consideration has been given to the social and economic effects of the project, its impact on the environment, and its consistency with the goals and objectives of such urban planning as has been promulgated by the community.

The public was advised of the

objectives of such a hearing, the procedures for requesting a hearing, the deadline for the submission of such a request, or

time, place, and objectives of the hearing

by notices published in news media having a general circulation within the area of said project. Affidavit(s) of such publication is (are) enclosed herewith.

The deadline date for the submission of a request for a hearing was \_\_\_\_\_ 20\_\_\_\_, or

The hearing was held on June 26, 2013 in Forest Lake, Minnesota.  
(City, Township, Other)

Signed Scott Z Z this 6<sup>th</sup> day of August 2013  
Mn/DOT District Engineer

OR

Signed \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_  
Local Agency Title: